

Date: March 10, 1999  
W.I.: 51.3.10  
Referred by: Commission  
Revised: 02/28/07-C

### ABSTRACT

#### Resolution No. 3147, Revised

This Resolution approves a Memorandum of Understanding among MTC, BART and SamTrans (Attachment A) for additional financing of the BART-SFO extension project and a commitment by MTC to pledge the allocation and loan of bridge toll funds (Attachment B).

Attachment B to this resolution also revises previous bridge toll allocation commitments and programming made in MTC Resolutions No. 2322 and 2915 and actual bridge toll allocations made in MTC Resolution Nos. 2255, 2471 and 2955.

Further information is set forth in the Executive Director's memoranda dated February 9, 1999 and February 17, 1999 regarding financing of the BART to SFO project.

This resolution was superceded by the Commission on February 28, 2007 with the approval of MTC Resolution No. 3795. See Resolution No. 3795.

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Re: Additional Financing Support for San Francisco Bay Area Rapid Transit District's San Francisco Airport Extension Project

METROPOLITAN TRANSPORTATION COMMISSION  
RESOLUTION NO. 3147

WHEREAS, the Metropolitan Transportation Commission (MTC) is the regional transportation planning agency for the San Francisco Bay Area pursuant to Government Code Section 66500 *et seq.*; and

WHEREAS, in Resolution No. 1876, first adopted on March 24, 1988, and last amended on February 26, 1992, MTC identified the San Francisco Bay Area Rapid Transit District's (BART) San Francisco Airport (SFO) extension project as the region's original first priority project for federal new starts funds; and

WHEREAS, BART's SFO extension project currently under construction has a budget and cash flow shortfall because of increased costs due to the economy and the gap between the construction and federal appropriations schedules; and

WHEREAS, MTC, BART and the San Mateo County Transit District (SamTrans) have developed a Memorandum of Understanding, dated February, 1999 (Attachment A), attached hereto and incorporated herein as though set forth at length, that provides a local and regional effort to address the budget and cash flow shortfalls for the BART SFO extension project; and

WHEREAS, pursuant to Attachment A, MTC will revise its previous bridge toll allocation commitments and programming to BART, subject to certain terms and conditions, to pledge to commit to the allocation and loan of bridge toll revenues for BART's rail extensions program on a schedule and under terms and conditions as set forth on Attachment B to this Resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, Attachment B is consistent with MTC's Bridge Toll Allocation Policy Statement as set forth in Resolution No. 2004, first adopted on April 26, 1989, and last revised on July 24, 1996; and

WHEREAS, Attachment B revises a previously-approved MTC Bridge Toll Revenues allocation commitment to BART for BART's East Bay Rail Extensions as set forth in Resolution No. 2322, adopted on July 31, 1991; and

WHEREAS, Attachment B revises the previously-approved programming of MTC Regional Measure 1 Rail Extension Reserve Funds to BART as set forth in Resolution No. 2915, adopted on July 24, 1996, and revised on May 28, 1997; and

WHEREAS, Attachment B revises MTC's allocations of bridge toll revenues to BART as set forth in Resolution No. 2255, adopted on January 23, 1991 and revised on May 2, 1991; Resolution No. 2471, adopted on September 23, 1991 and revised on January 27, 1993; and Resolution No. 2955, adopted on March 26, 1997; now, therefore, be it

RESOLVED, that the Executive Director is authorized to execute the Memorandum of Understanding with BART and SamTrans substantially in the form set forth in Attachment A to this Resolution, subject only to non-substantive amendments as to form approved by MTC's General Counsel; and, be it further

RESOLVED, that MTC approves a pledge to commit to allocate and loan bridge toll revenues to BART as set forth in Attachment B to this Resolution; subject to the terms and conditions included therein and, be it further

RESOLVED, that all previous bridge toll commitments and programming to BART for its rail extension program not already allocated and disbursed, or recommitted and reprogrammed to BART pursuant to this Resolution, are hereby superseded; and, be it further

RESOLVED, that MTC staff is directed to develop a schedule for periodic review of the status of BART's SFO extension project with the appropriate MTC standing committees; and, be it further

RESOLVED, that MTC joins with BART and SamTrans in working with Congress to help close the funding gap between the federal appropriations schedule and the construction schedule of the BART SFO extension project.

METROPOLITAN TRANSPORTATION COMMISSION

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James T. Beall, Chair

The above resolution was entered into by the Metropolitan Transportation Commission at a regular meeting of the Commission held in Oakland, California, on March 10, 1999.

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Attachment A  
Resolution No. 3147

## Memorandum of Understand (MOU) March 1999

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Attachment A  
Resolution No. 3147

**NOTE:**

**Attachment A is a 3-page Memorandum of Understanding (MOU) between BART, SamTrans and MTC.**

**Photocopy of the draft MOU as taken to Commission for approval on 3/10/99 and incorporated into Res-3147 as Attachment A is in resolution binders in MTC Executive Office.**

**Electronic copy of the final MOU (not the draft taken to Commission for approval on 3/10/99) is located in:**

***j: / section / allstaff / resolut / resolutions / mtc  
resolutions / RES-3147 (folder) / BART MOU SFO  
Ext.doc***

**See Lois Tucker for signed original paper copy of the final MOU.**

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Attachment B  
Resolution No. 3147  
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**NOTE:**

**Page 1 of Attachment B is an Excel document  
located in:**

**j: / section / allstaff / resolut / resolutions /  
MTC Resolutions / RES-3147 (folder) / RES-3147.xls**

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Attachment B  
Resolution No. 3147  
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Regional Measure 1 ("RM 1")  
(Streets and Highways Code § 30914(a)(4) and 30919(b))  
Bridge Toll Allocation Commitment Schedule to BART <sup>1</sup>

Fiscal Year	RM 1 East Bay Rail Extensions	RM 1 West Bay Rail Extensions
FY 1999-2000	25 million	2.625 million <sup>2</sup>
FY 2000-2001	10 million	-- <sup>3</sup>
FY 2001-2002	7 million	3 million
FY 2002-2003	7 million	3 million
FY 2003-2004	7 million	3 million
FY 2004-2005	7 million	3 million
FY 2005-2006	7 million <sup>4</sup>	3 million
FY 2006-2007	301,000 <sup>4,5</sup>	3 million <sup>4</sup>
TOTAL	70.301 million <sup>4 5</sup>	20.625 million <sup>6</sup>

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<sup>1</sup> Bridge tolls committed on this schedule subject to separate Commission action for actual annual allocations.

<sup>2</sup> Bridge tolls committed to BART pursuant to MTC Resolution No. 2915.

<sup>3</sup> No bridge toll funds to BART available because of previous \$2.65 million commitment to Muni pursuant to MTC Resolution No. 2915.

<sup>4</sup> Subject to adjustment, depending on financing costs pursuant to the Memorandum of Understanding in Attachment A to this Resolution.

<sup>5</sup> \$60 million to be repaid by BART to the East Bay Rail Extensions Reserve, for projects such as the Warm Springs Extension Project, upon BART's receipt of federal funds as required in Attachment A, Paragraph C, to this Resolution.

<sup>6</sup> \$16.5 million to be repaid by BART to the West Bay Rail Extensions Reserve if funds are available pursuant to Attachment A, Paragraphs A.2 and A.4 to this Resolution.